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Docket No.: HO-P02194US0

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Dated: December 10, 2003 Signature:

Ian R. Reid

Application No.: 10/016,371

Confirmation No.:

Filed: December 10, 2001

**CITRATE** 

Art Unit: N/A

For:

METHOD OF ADMINISTERING CALCIUM

Examiner: Not Yet Assigned

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each reference on PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

00000002 10016371 12/12/2003 CCHAU1

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Application No.: 10/016,371 Docket No.: HO-P02194US0

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02194US0. A duplicate copy of this paper is enclosed.

Dated: December 10, 2003

Respectfully submitted,

Jila Bakker

Registration No.: 53,962

FULBRIGHT & JAWORSKI L.L.P.

1301 McKinney, Suite 5100 Houston, Texas 77010-3095

(713) 651-5151

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Attorney for Applicant

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PTO/SB/21 (08-03)
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## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

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|------------------------------------|--|
| Application Number                 | 10/016,371   |
| Filing Date                        | December 10, 2001                                  |
| First Named Inventor               | Ian R. Reid  |
| Art Unit                           | N/A  |
| Examiner Name                      | Not Yet Assigned                                   |
| Attorney Docket Number             | HO-B02104US0                                       |

| ENCLOSURES (Check all that apply)                 |   |  |   |  |  |  |  |
|---|---|--|---|--|--|--|--|
| X Fee Transi                                      | mittal Form   | Drawing(s)   | After Allowance Communication to Group                            |  |  |  |  |
| K Fee   | Attached  | Licensing-related Papers                                       | Appeal Communication to Board of Appeals and Interferences        |  |  |  |  |
| Amendmer  | nt/Reply  | Petition   | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |  |  |  |  |
| After   | Final   | Petition to Convert to a Provisional Application               | Proprietary Information   |  |  |  |  |
| Affida  | avits/declaration(s)  | Power of Attorney, Revocation Change of Correspondence Address | Status Letter   |  |  |  |  |
| Extension   | of Time Request   | Terminal Disclaimer  | X Other Enclosure(s) (please identify below):                     |  |  |  |  |
| Express At  | pandonment Request  | Request for Refund   | 2 References<br>International Search Report                       |  |  |  |  |
| x Information Disclosure Statement                |   | CD, Number of CD(s)  | ,   |  |  |  |  |
| Certified Control Document                        | opy of Priority   |  |   |  |  |  |  |
| Response to Missing Parts/ Incomplete Application |   |  |   |  |  |  |  |
| Resp  | Response to Missing Parts   |  |   |  |  |  |  |
| unde  | □ under 37 CFR 1.52 or 1.53   |  |   |  |  |  |  |
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|   | SIGNAT  | URE OF APPLICANT, ATTORNEY, OF                                 | R AGENT   |  |  |  |  |
| Firm<br>or<br>Individual name                     | Remarks  Remarks  Remarks  Signature of Applicant, Attorney, or Agent  FULBRIGHT & JAWORSKI L.L.P.  Jila Bakker |  |   |  |  |  |  |
| Signature   | nil-  |  |   |  |  |  |  |
| Date  | December 10, 2003   |  |   |  |  |  |  |

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Dated: December 10, 2003

Signature: (Annette Devereux)

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PTO/SB/17 (10-03)
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# FEE TRANSMITTAL for FY 2004 Effective 10/01/2003, Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

Application Number 10/016,371

Filing Date December 10, 2001 First Named Inventor Ian R. Reid Examiner Name Not Yet Assigned

Art Unit N/A HO-P02194US0

TOTAL AMOUNT OF PAYMENT HO-P02194US0 180.00 (\$) Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money 3. ADDITIONAL FEES X Check Other None Deposit Account: Large Entity Small Entity Deposit 06-2375 Account Number Fee Description Code (\$) Code (\$) Fee Paid Deposit 1051 2051 130 65 Surcharge - late filing fee or oath Fulbright & Jaworski L.L.P. Account Name Surcharge - late provisional filing fee or cover 1052 50 2052 25 The Director is authorized to: (check all that apply) X Credit any overpayments Charge fee(s) indicated below 1053 130 1053 130 Non-English specification 2,520 Charge any additional fee(s) or any underpayment of fee(s) 1812 1812 2,520 For filing a request for ex parte reexamination Requesting publication of SIR prior to 1804 9201 1804 9201 Charge fee(s) indicated below, except for the filing fee Requesting publication of SIR after to the above-identified deposit account 1805 1.840 1805 1.840 Examiner action FEE CALCULATION 1251 110 2251 55 Extension for reply within first month 1. BASIC FILING FEE 1252 420 2252 210 Extension for reply within second month Large Entity Small Entity 1253 950 2253 Extension for reply within third month Fee Fee **Fee Description** Fee Paid 2254 1254 1.480 740 Extension for reply within fourth month Code (\$) Code (\$) 770 2001 385 Utility filing fee 1255 2,010 2255 1,005 Extension for reply within fifth month 2002 170 1002 340 Design filing fee 1401 330 2401 165 Notice of Appeal 1003 530 2003 265 Plant filing fee 330 1402 2402 Filing a brief in support of an appeal 1004 770 2004 385 Reissue filing fee 1403 290 2403 Request for oral hearing 1005 160 2005 80 Provisional filing fee 1451 1.510 1451 Petition to institute a public use proceeding Petition to revive - unavoidable 1452 110 2452 55 SUBTOTAL (1) 0.00 1453 1.330 2453 665 Petition to revive - unintentional 665 1501 1,330 2501 Utility issue fee (or reissue) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from 1502 480 2502 Design issue fee 240 Fee Paid Claims below Total Claims 1503 640 2503 320 Plant issue fee Independent 1460 130 1460 Petitions to the Commissioner Claims Multiple Dependent 1807 50 1807 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180.00 180 Submission of Information Disclosure Stmt Large Entity Small Entity Recording each patent assignment per Fee **Fee Description** 8021 40 8021 40 Code (\$) Code (\$) property (times number of properties) Filing a submission after final rejection 2202 1202 18 9 Claims in excess of 20 1809 770 2809 385 (37 ČFR 1.129(a)) 1201 86 2201 43 Independent claims in excess of 3 For each additional invention to be 1810 770 2810 385 1203 290 2203 Multiple dependent claim, if not paid 145 examined (37CFR 1.129(b)) 1204 86 2204 \*\* Reissue independent claims 1801 770 2801 Request for Continued Examination (RCE) over original patent Request for expedited examination 1802 900 1802 900 1205 18 2205 Reissue claims in excess of 20 of a design application and over original patent Other fee (specify) SUBTOTAL (2) (\$) \*Reduced by Basic Filing Fee Paid 0.00 SUBTOTAL (3) (\$) 180.00 \*\*or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY      | ·           | (Complete (if applicable))               |           |                   |
|-------------------|-------------|--|-----------|-------------------|
| Name (Print/Type) | Jila Bakker | Registration No. (Attorney/Agent) 53,962 | Telephone | (713) 651-5698    |
| Signature         | Dil         |  | Date      | December 10, 2003 |

Fee Transmittal

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Dated: December 10, 2003

Signature: Multiplication Devereux)

RECEIVEL



Application No. (if known): 10/016,371

Attorney Docket No.: HO-P02194US0

## **Certificate of Express Mailing Under 37 CFR 1.10**

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IDS (Citation) by Applicant

Note:

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# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

of

1

 Complete if Known

 Application Number
 10/016,371

 Filing Date
 December 10, 2001

 First Named Inventor
 Ian R. Reid

 Art Unit
 N/A

 Examiner Name
 Not Yet Assigned

 Attorney Docket Number
 HO-P02194US0

| U.S. PATENT DOCUMENTS  |                          |  |            |                   |  |
|--|--------------------------|--|------------|-------------------|--|
| Examiner Cite Document Number Publication Date Name of Patentee or Applicant Pages, Columns, Lines, Where Relevant |                          |  |            |                   |  |
| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup> | Number-Kind Code <sup>2</sup> (if known) | MM-DD-YYYY | of Cited Document | Passages or Relevant<br>Figures Appear |
|  |                          |  |            |                   |  |

|                       | FOREIGN PATENT DOCUMENTS |  |                                |  |  |    |
|-----------------------|--------------------------|--|--------------------------------|--|--|----|
| Examiner<br>Initials* | Cite<br>No.1             | Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T⁵ |
|                       |                          |  |                                |  |  |    |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

|                      | NON PATENT LITERATURE DOCUMENTS                |   |  |  |  |
|----------------------|--|---|--|--|--|
| Examiner<br>Initials |  |   |  |  |  |
|                      | CA International Search Report August 21,2003. |   |  |  |  |
|                      | СВ   | Denke et al, "Short-term Dietary Calcium Fortification Increases Fecal Saturated Fat Content and Reduces Serum Lipids in Men," J. Nutr 1993 Jun; 123(6): 1047-53.                       |  |  |  |
|                      | CC   | Ruml et al, "the Effect of Calcium Citrate on Bone Density in the Early and Mid-<br>postmenopausal period: A Randomized Placebo-Controlled study," Am J Ther 1999 Nov; 6(6):<br>303-11. |  |  |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Signature Considered |           |                |  |
|----------------------|-----------|----------------|--|
|                      | Examiner  | Date           |  |
|                      | Signature | <br>Considered |  |

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.